

STATE OF OKLAHOMA

2nd Session of the 43rd Legislature (1992)

SENATE BILL NO. 745

BY: MILES-LaGRANGE

AS INTRODUCED

AN ACT RELATING TO SCHOOLS; AMENDING 70 O.S. 1991, SECTION 5-141.2, WHICH RELATES TO INCENTIVE PAY PLANS FOR TEACHERS; CREATING INCENTIVE PAY PLANS FOR SUPPORT EMPLOYEES; DIRECTING STATE BOARD OF EDUCATION TO DEVELOP INCENTIVE PAY PLANS FOR SUPPORT EMPLOYEES; PROVIDING PROCEDURES FOR IMPLEMENTATION OF INCENTIVE PAY PLANS FOR SUPPORT EMPLOYEES; MODIFYING COMPOSITION AND DUTIES OF CERTAIN ADVISORY COMMITTEE; AND DEFINING TERM.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 70 O.S. 1991, Section 5-141.2, is amended to read as follows:

Section 5-141.2 A. On or before September 1, 1990, for teachers, and September 1, 1993, for support employees, the State Board of Education shall develop not fewer than five (5) different model incentive pay plans and shall distribute information about each plan to every school district board of education. No plan developed by the Board or implemented by the local school board shall permit payment in any one (1) year of incentives to any one teacher or support employee amounting to more than twenty percent (20%) of said teacher's or support employee's regular salary, exclusive of fringe benefits or extra duty pay. Any incentive pay

award shall be an annual award and shall not be a part of a teacher's or support employee's continuing contract. Any incentive pay awards received shall be excluded from such teacher's or support employee's compensation for purposes of calculating retirement pursuant to the Teachers' Retirement System of Oklahoma, established in Section 17-102 of ~~Title 70 of the Oklahoma Statutes~~ this title and shall not be subject to taxes levied by the Federal Insurance Contributions Act (F.I.C.A.), to the extent such exemption is provided by federal law.

B. ~~Beginning with the 1991-92 school year, each~~ Each school district board of education may adopt an academically based, district incentive pay plan for the district's classroom teachers. Beginning with the 1993-94 school year, each school district board of education may adopt an incentive pay plan for the district's support employees. The district may adopt any incentive pay plan consistent with the requirements of this section, which may include any incentive pay plan developed by the State Board of Education pursuant to this section. The local school board shall appoint an advisory committee consisting of teachers, support employees, parents, business persons or farmers and other local citizens to advise the board in formulating an incentive pay plan. Prior to the adoption of such plan, the board of education shall place such plan on the school board agenda for public comment and shall submit the plan to the State Board of Education for final approval on or before March 1. The board of education shall comply with the provisions of this subsection for any year a plan is to be modified.

C. ~~Beginning with the 1991-92 school year, a~~ A school district shall be required to adopt and implement an academically based, district incentive pay plan for teachers for any school year following the receipt by the school district board of education, of a petition signed by twenty percent (20%) of the classroom teachers employed in the district which calls for the adoption of ~~an~~ a

district incentive pay plan for the district teachers. Beginning with the 1993-94 school year, a school district shall be required to adopt and implement a district incentive pay plan for support employees for any school year following the receipt by the school district board of education of a petition signed by twenty percent (20%) of the support employees employed in the district which calls for the adoption of a district incentive pay plan for support employees.

D. Pupil test scores shall not be the sole criterion for allocation of incentive pay under any plan developed or approved by the Board.

E. For the purposes of this section only, "classroom teacher" shall mean any employee who holds certification and assignment outside the classification of administrator.

F. For purposes of this section only, "support employee" shall mean any employee of the district board of education excluding classroom teachers and administrators.

G. The State Board of Education shall promulgate rules and regulations necessary for the effective implementation and administration of this section.

~~G.~~ H. Each local board of education shall provide for a local evaluation committee which shall advise the board on which teachers and support employees are to receive incentive pay awards and the amount of each incentive pay award according to the plan.

~~H.~~ I. Nothing herein shall preclude a school district from supplementing to any monies appropriated to such district for the purposes of the district's incentive pay plan, monies from the district's general fund.